

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Panchayats – Nelamarri Gram Panchayat – Appeal Petition filed by Smt. B. Ramachandramma, Sarpanch (Removed), Nelamarri Village, Munagala Mandal, Nalgonda District – against Proceedings of the District Collector (PW), Nalgonda District – Appeal Petition - Allowed - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.II) DEPARTMENT

G.O. Rt. No. 1276

Date: 18- 08- 2010.
Read the following:

1. From the Dist. Collector, Nalgonda Dist., Procds. No.1292/09-B1(Pts)-1, Dated 07-08-2009.
2. Appeal Petition filed by Smt Battipalli Ramachandramma, Sarpanch, Nelamarri Gram Panchayat, Munagala Mandal, Nalgonda District, Dt. 19.8.2009.
3. Govt.Memo.No.19022/Pts.II/A1/2009-1, Dt.23.9.2009.
4. From the DPO., Nalgonda Dist., Lr.No.1292/09-B1(Pts), dt.14.10.2009.
5. From the Dist.Collr.,(PW), Nalgonda, Roc.No.1292/08-B1(Pts), dated 19.3.2010.
6. Govt.Telegram No.19022/Pts.II/A1/2009-13, Dt.6.7.2010.

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ORDER:

In the reference 1st read above, the District Collector (PW), Nalgonda District has removed Smt. B. Ramachandramma, Sarpanch, Nelamarri Village, Munagala Mandal, Nalgonda District from the Post of Sarpanch U/s 249(1) of Andhra Pradesh Panchayat Raj Act, 1994 for misappropriation of Gram Panchayat funds and also issued for recovery orders for an amount of Rs.1,59,590/-.

2. In the reference 2nd read above, aggrieved by the said orders, Smt. B. Ramachandramma, Sarpanch (Removed), Nelamarri Gram Panchayat, Munagala Mandal, Nalgonda District has filed an Appeal Petition before Government against the District Collector (PW), Nalgonda District proceedings dated 7-08-2009 and requested to suspend the said orders.

3. In the reference 3rd read above, Government has called the remarks of District Collector (PW), Nalgonda District.

4. In the reference 4th read above, the DPO., Nalgonda has reported that based on the complaint filed by Upa-Sarpanch and certain Ward Members, the Divisional Panchayat Officer, Miryalaguda has been requested to conduct enquiry and submit his report. After receipt of the explanation, the Sarpanch Cheque Power was withdrawn. Based on the Divisional Panchayat Officer report, the Sarpanch has removed from the post of Sarpanch u/s 249(1) of APPR Act, 1994 besides recover order also issued under R.R. Act. So far no amount has been recovered from the removed Sarpanch.

5. In the meantime the Petitioner has also filed a Writ Petition before Hon'ble High Court and the Hon'ble High Court while disposing the case has directed the Government to dispose the case within two weeks of time.

6. The case was posted for hearing on 10-11-2009. Both parties were attended. The Petitioners advocate have represented that the petitioner will produce the relevant records for the alleged misappropriation of amount of Rs.1,59,690/-. The District Panchayat Officer, Nalgonda (I/c) who is attending hearing is directed to verify the records and send a report to Govt., within 15 days. In the meantime, the Proceedings of the Dist. Collr.,(PW), Nalgonda are suspended pending final orders vide memo. dt.16.11.2009.

7. In the reference 5th read above, the District Collector (PW), Nalgonda has reported that the Chief Executive Officer, STEP, Nalgonda has been requested to submit his report on the allegations leveled against Smt. B. Ramachandramma, Sarpanch, Nelamarri Gram Panchayat of Munagala Mandal for taking further course of action in the matter. After conduct of enquiry, the Upa-Sarpanch and Ward Members on certain issues

raised. The Upa-Sarpanch has stated that, the several problems prevailing in Gram Panchayat and was brought to the notice of the Village Secretary, Nelamarri, but no Gram Panchayat Meetings were conducted properly and the issues were not attended to. Further, the Upa-Sarpanch has stated that, the above lapse was not reported / complained to higher authorities. It was requested to conduct spot enquiry on the morum expenditure incurred.

8. Finally, the District Collector (PW), Nalgonda has stated that it is observed that Smt. B. Ramachandramma, Sarpanch, Gram Panchayat, Nelamarri of Munagala Mandal is found lacking the knowledge/ awareness as regard to the procedures to be followed for execution of works. The maintenance and viewed with displeasure. The functions of Panchayat Secretary need to be directed for compliance strictly as it may avoid the occurrence of these irregular transactions. The amount incurred towards expenditure on several items mentioned above is genuine and purposeful, but the procedure adopted is against to the norms prescribed and gross violation of financial canons is noticed. The way the Government money is supposed to be incurred as a trustee of the funds by virtue of holding the office of the Sarpanch is violated. The reimbursement of amounts made by Smt. B. Ramachandramma, Sarpanch, Gram Panchayat, Nelamarri of Munagala Mandal is seen subsequent to issue of Show-Cause Notice and consequential proceedings of action.

9. The case was heard on 16.7.2010 and during the hearing the District Panchayat Officer and Sarpanch are attended. The District Panchayat Officer has stated that the Sarpanch has reimbursed the amounts. The Collector has reported that the amount incurred on several items is genuine and purposeful but the Sarpanch has not followed procedures prescribed in the rules.

10. Government, after hearing the Appeal Petition keeping in view the report of the Collector, Nalgonda and after perusing the records, the Appeal Petition filed by Smt. B. Ramachandramma, Sarpanch is hereby allowed duly setting aside the orders of Collector, Nalgonda District dated 07.8.2009.

11. The District Collector (PW), Nalgonda District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M.V.P.C. SASTRY,
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

The District Collector (PW), Nalgonda District.

The Commissioner, Panchayat Raj and Rural Employment, Hyderabad.

The District Panchayat Officer, Nalgonda District.

Copy to:

Smt. Battipalli Ramachandramma, Sarpanch (Removed),

Nelamarri Gram Panchayat, Munagala Mandal, Nalgonda District.

The OSD to Hon'ble Minister (PR).

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER